



DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-832]

Pure Magnesium from the People's Republic of China: Final Results of Expedited Fifth Sunset Review of the Antidumping Duty Order

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: As a result of this expedited sunset review, the Department of Commerce (Commerce) finds that revocation of the antidumping duty (AD) order on pure magnesium from the People's Republic of China (China) would be likely to lead to continuation or recurrence of dumping at the levels indicated in the "Final Results of Review" section of this notice.

DATES: Applicable [Insert date of publication in the *Federal Register*].

FOR FURTHER INFORMATION CONTACT: John Conniff, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1009.

SUPPLEMENTARY INFORMATION:

Background

On March 1, 2022, Commerce published the notice of initiation of the sunset review of the AD order on pure magnesium from China,¹ pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).² On March 7, 2022, Commerce received a notice of intent to participate from US Magnesium LLC (US Magnesium), a domestic interested party, within the

¹ See *Notice of Antidumping Duty Order: Pure Magnesium from the People's Republic of China, the Russian Federation and Ukraine; Notice of Amended Final Determination of Sales at Less Than Fair Value: Antidumping Duty Investigation of Pure Magnesium from the Russian Federation*, 60 FR 25691 (May 12, 1995) (Order).

² See *Initiation of Five-Year (Sunset) Review*, 87 FR 11416 (March 1, 2022).

deadline specified in 19 CFR 351.218(d)(1)(i).³ US Magnesium claimed domestic interested party status under section 771(9)(C) of the Act, as a manufacturer of domestic like product in the United States.⁴ On March 21, 2022, US Magnesium submitted a timely substantive response within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).⁵ Commerce did not receive a substantive response from any other interested parties with respect to the *Order* covered by this sunset review, nor was a hearing requested. On April 20, 2022, Commerce notified the U.S. International Trade Commission that it did not receive an adequate substantive response from respondent interested parties.⁶ As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce is conducting an expedited (120-day) sunset review of the *Order*.

Scope of the *Order*

The product covered by the *Order* is pure magnesium from China. For a full description of the scope, *see* the Issues and Decision Memorandum.⁷

Analysis of Comments Received

All issues raised in this sunset review are addressed in the Issues and Decision Memorandum, including the likelihood of continuation or recurrence of dumping and the magnitude of the margins of dumping likely to prevail if the *Order* were revoked. A list of topics discussed in the Issues and Decision Memorandum is included as an appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at

³ *See* US Magnesium's Letter, "Five-Year ('Sunset') Review of Antidumping Duty Order on Pure Magnesium from The People's Republic of China: Notice of Intent to Participate in Sunset Review," dated March 7, 2022.

⁴ *Id.* at 2.

⁵ *See* US Magnesium's Letter, "Five-Year ('Sunset') Review of Antidumping Duty Order on Pure Magnesium from The People's Republic of China: Domestic Industry Substantive Response," dated March 21, 2022.

⁶ *See* Commerce's Letter, "Sunset Reviews Initiated on March 1, 2022," dated April 20, 2022.

⁷ *See* Memorandum, "Issues and Decision Memorandum for the Final Results of Expedited Sunset Review of Pure Magnesium from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<https://access.trade.gov>. A complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNotices/ListLayout.aspx>. A list of the issues discussed in the decision memorandum is attached as an appendix to this notice.

Final Results of Sunset Review

Pursuant to sections 751(c) and 752(c) of the Act, Commerce determines that revocation of the *Order* would be likely to lead to continuation or recurrence of dumping, and that the magnitude of the dumping margins likely to prevail would be weighted-average margins of up to 108.26 percent.

Administrative Protective Order

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a). Timely notification of the destruction of APO materials or conversion to judicial protective orders is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

We are issuing and publishing these final results in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act, and 19 CFR 351.218(e)(1)(ii)(C)(2) and 19 CFR 351.221(c)(5)(ii).

Dated: June 7, 2022.

Lisa W. Wang,
Assistant Secretary
for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. History of the *Order*
- V. Legal Framework
- VI. Discussion of the Issues
 - 1. Likelihood of Continuation or Recurrence of Dumping
 - 2. Magnitude of the Margins Likely to Prevail
- VII. Final Results of Sunset Review
- VIII. Recommendation

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